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ABSTRACT

This paper seeks to establish a philosophical foundation and a conceptual framework for a belief in the right to free information access. According to an overview of the professional literature, and to the moral philosophy of Immanuel Kant as operationalized in the theories of John Rawls, information can be seen as a primary good and as a necessity for the just operation of society. Hence, the inability to access information would be considered an injustice. This contention is used as an argument for free access to information--in other words, against library user fees--in an era when rapid technological advances and changes in the delivery and economics of information challenge the viability of libraries. Appendices include copies of the Library Bill of Rights, of some previous research in defining the term "information," and of the Freedom to Read Act. (Contains 18 references.) (BEW)

INFORMATION AS A PRIMARY GOOD FROM A RAWLSIAN PERSPECTIVE

A Master's Research Paper submitted to the
Kent State University School of Library Science
in partial fulfillment of the requirements
for the degree of Master of Library Science

by

Francis J. Cizmar

June, 1995

ABSTRACT

The topic of this paper is the right to access information from a public or academic library. The objective will be to establish the perspective of a conceptual framework for the right to free and public access to information, especially in light of the rapid growth and privatization of electronic information sources.

While much has been written in support of the long-standing belief in free and public information access, comparatively little has been written in the way of establishing a philosophical foundation for this belief. A conceptual framework needs to be developed to more clearly identify the issues involved and to serve as a model for discussion.

The moral philosophy of Immanuel Kant as it is operationalized in John Rawls' concepts of the original position as it is explained in his work A Theory of Justice will, when combined with the existing literature, serve as the foundation for arguing that information is a primary good. In other words, information is a right which all parties coming together with the objective of forming principles for justice would accept as being necessary for the just operation of that society. Hence, the inability to access information would in this scenario be a matter of injustice.

In conclusion, rapid changes in the method and economics of information delivery threaten the mission and viability of academic and public libraries; a case for continuing to freely access information must be maintained, and this can be facilitated by arguing that information is a primary good.

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CHAPTER I

INTRODUCTORY REMARKS

"You cannot step twice into the same river, for fresh waters are ever flowing in upon you."

The preceding sentiment, attributed to the Presocratic philosopher Heraclitus, has been traditionally understood to refer to his belief in the fact and necessity of change in the world. While few outside the philosophical community are familiar with the metaphysical ramifications of Heraclitus' statement, few would deny the fact of change which permeates life in the late twentieth century. If there is one stable notion, it is the ironic one that the world is in a state of flux. Perhaps is this no more acknowledged and visible than in regard to the effect that change has impressed upon contemporary American life and culture, particularly over the last thirty to forty years.

Concomitant with the notion of change is the notion of increased information. Our knowledge of ourselves, our world, and the universe has increased exponentially, unlike any previous time in human history. This growth in the store of information has occurred most rapidly during the past one-hundred years, perhaps also most markedly within the last thirty or so years. As with the impact of seemingly constant change, the increase in knowledge has had a similar effect on American life and culture.

Not only has the fact of change and increased knowledge affected our society and culture, but both seem to occur with increasing speed. Change in society seems to be happening at an ever-faster rate; the growth of knowledge has swollen well beyond our capacity to successfully manage it in some cases. There exists a catch-22 situation: in order to keep up with the speed and variety of change one needs to have knowledge to cope with it; but in order to gain applicable and useful knowledge one must be successfully responsive to change. A corollary indicated by Hans Jonas is that the knowledge we created is so new that we lack insight into its possible consequences and the applications to which it might successfully apply.[1]

Sharpening the focus of the discussion, let us now examine the concepts of change and increased knowledge within a domain more familiar to librarians and other information professionals. In addressing the impact of change upon life and culture, perhaps nowhere has this phenomenon had more of a profound effect upon the library profession than in the areas of automation and information technology. In the relatively short history of American librarianship, many types of devices have been developed and introduced with the hope of improving upon the effectiveness and efficiency of the tasks of the librarian. Before the word "technology" came into accepted use, the buzzword in librarianship was "mechanization," with the implication that such devices were to convert some of the librarian's manual tasks into labor- and time-saving

machine operations. The focus was on the practical aspects of librarianship at the expense of developing an adequate theory to support the library's mission. With developments and breakthroughs in electronics, the mechanization gave way (though neither completely nor comprehensively) to electronic technology. Such technology has altered not only the devices used by information professionals but also the objects of their immediate concern: the format of information itself.

The increase in knowledge is aptly referred to in the information professions as the "information explosion" (which in reality is a "data glut"). There is no lack of treatment of the concept of "information overload" in the professional literature, and also in devising ways to more effectively manage the ever-increasing amount of information both available and desired. Because of the developments in information technology, the nature of information itself is undergoing changes. The most notable change in the nature of information is in the medium or mode of access to it. While printed information sources will certainly be around for some time to come, developments in information creation, storage, and retrieval technologies have created an ever-widening niche for non-print information sources. Some of the benefits of non-print information sources touted by its proponents include wider access, greater speed, more flexibility, smaller space requirements, and less cost. It goes without saying that from a librarian's perspective each of these are subject to

a great deal of debate and this is again evident in the space devoted to their advantages and disadvantages.

When the notion of the technological revolution is synthesized with the information explosion, a third factor comes into play: management. Despite the advances made in electronic information storage and retrieval there is still a deep and continuous human factor cost. The management of ever-increasing amounts of information coupled with the desire and growing need for access to it has contributed to the rising cost of information management. In addition to the cost increase there is a need for the training and development of skills to effectively create, access, organize, store, and use the vast stores of information.

These factors have also affected the communication of information. One development is the increasing privatization of information sources and a decreasing role of information control by those traditionally entrusted with it: libraries. Libraries, which once owned most if not all of the information sources at their disposal, are now providing contractually controlled access to the same information sometimes in a variety of formats. Another development affecting the communication of information is the increasing demand for not only computer literacy but information literacy as well. It is no longer sufficient to have the technological skills necessary to effectively utilize computerized equipment; the structure of the information coupled with its unmanageable

volume necessitates that one possess information literacy skills. This is a fact that only librarians at present seem to notice. In simpler terms, one must be able to navigate successfully in a vast sea of information, especially where there is lack of intellectual control (e.g., the Internet, which has no paper index counterpart).

This is not to suggest that everyone should be trained in information retrieval skills to the degree of a professional. Rather, the implication is for librarians and those who make the management and provision of information their profession. Such professionals can no longer assume that their patrons (nor their coworkers nor maybe even themselves) will have what it takes to fill their information needs.

To summarize, the fact of change coupled with the exponential growth in human knowledge has profoundly affected the direction and speed with which America and most of the rest of the world develops. In the library and other information professions, this is most evident in the applications of electronic technology, the increasing privatization and commodization of information, and "information overload" experienced by many people living and working in a technologically demanding culture. In some ways, the development of sophisticated electronic storage devices and their increasing interconnectedness has contributed to the seeming glut of information. The adage "out of sight, out of mind" can be paraphrased to something like

"unconnected, unaware," or "illiterate, incapacitated." An increasingly technologically demanding culture requires a kind of technological and informational literacy and competency of its inhabitants, not to mention other literacy skills which are dependent on the type of information sought. Such demands differ from those of earlier epochs in history perhaps with regard to the speed with which the present epoch is moving. Surely there are other differences such as the societal structure and meaning of ownership, but these have their analogues in some way in earlier times. This brings us to stating the problem which is the focus of this paper.

CHAPTER II

STATEMENT OF THE PROBLEM

As the introductory remarks pointed out, contemporary American culture has evolved, for the most part, with a growing dependence on technology for its day-to-day functions. It is indeed difficult to imagine a person in this environment thriving in any way without some sort of reliance on electronic technology. Surely there are those who could follow the example of Thoreau, but they are the exception rather than the rule. In addition, this dependence requires a level of competency which is more available to some than to others.

We have already noted the increasing privatization of information sources. The electronic communication of information is increasingly in the control of private, for-profit enterprises and consequently decreasingly so for the public or state-supported academic library. These developments suggest three possibilities concerning the communication of information. One possibility is that publicly funded libraries will begin to charge their patrons for electronic information access (which some are already doing). A second possibility is that some libraries themselves will be controlled by or will themselves become private enterprises and thus become profit-oriented institutions (this is already happening in some cases). In addition, many information centers in companies

must be self-supporting. Third, libraries could manage and supply a highly selective and limited amount of information as their budgets would allow, of which more is electronically generated and increasingly out of their control (with the possible exception of CD-ROM searching which is proving to be a cost-effective alternative with more predictable costs as compared to online searching). This third possibility could sound the death knell for the publicly funded library as it is currently understood, for if the public cannot find what it needs at the publicly funded library, the public might end up having to pay for its information needs at a much higher rate than that which is subsidized through taxation, depending, of course, on the kind of information sought.

To develop the issue even further, the present mood of the U.S. Congress seems to be in favor of the increasing privatization of information. The reasoning behind this stance centers around the belief that a profit-oriented structure stimulates competition, creating a more viable economy and hence jobs. Whether or not this is the case is obviously important, but is beyond the scope of this paper. What in fact can be addressed here is the upshot of privatization which means the cost is passed along to a buyer, in this case a person with an information need.

It is the nature of a free market and increasingly unregulated economy to create an imbalance of wealth. In some cases, the existing wealth of some is augmented while for others it is diminished for various reasons. The point

is that such an economic structure purports to offer its inhabitants unfettered potential. Their aspirations and plans of life can be as wide and as varied as they are disparate from one another. The key word in this discussion is "purports." While it may seem to those fortunate enough to enjoy a connection to information resources that there is no problem, current economic reality tells a different story. In this so-called "information age," an increasing number of the population is in danger of being kept out of the information loop and thus segregated from those fortunate enough to have access and financial means to the technology which provides the information they seek to support their lifestyle. A term used in the literature to identify this problem is "marginalization." This marginalization typically occurs for two reasons, sometimes in combination. One reason is economic: the marginalized do not possess the financial resources required to purchase the technology or other means of access on their own. A second reason is due to the lack of technological and informational skills of the marginalized primarily because of a lack of exposure to the technology coupled with the lack of people who are both willing and able to train those in this socio-economic group in the use of the technology. Contemporary American society is becoming more and more stratified because of this de-access to information. The literature divides the population into the information haves and the information have-nots, separated by a barrier of money and opportunity.

What more can be said about the problem of information de-access? It is conceivable that there are those who rail against technology, sometimes for legitimate reasons.[2] Such people want nothing to do with the technologically dependent lifestyle that is looming ever closer; or at least they want to minimize contact with it. Aside from a particular socio-economic status or from deep-seated philosophical reasons against embracing technology, some people are just afraid of the technology or, more appropriately, afraid of what technology will do to "dehumanize" them. Many people due to lack of exposure are too proud to admit that they do not know how to operate a device which has become commonplace on the American scene: the personal computer.

Another barrier to information access is an attitude of anti-intellectualism prevalent among some members of society. The adage "ignorance is bliss" seems to be their credo. Such people believe that what they don't know can't hurt them (assuming, of course, that they've thought about the consequences), and they look upon the advances made by technology with suspicion. People harboring this attitude give little to no credence to the intellectual life as it is practiced in colleges and universities throughout the country. Higher education (which is any education beyond mandatory high school) serves little purpose and some assert that it defers maturity, responsibility, and productivity. Such people prefer a more pragmatic, common sense view. Like the technophobes,

anti-intellectuals are the way they are because of ignorance - the difference being possibly one of volition. The latter acquiesce in their ignorance while the former may or may not.

Despite all of this, there are significant numbers of the population who believe that information access is preferable to de-access and certainly more desirable than no information whatsoever. Most people in this information age believe that knowledge is preferable to ignorance and also that free and public access to information is preferable to large amounts of critical information which is restricted. Access to information sources serves many purposes in a technological society. It may increase productivity at work by speeding up the decision-making process; it helps keep one informed of current events or the current status of an item of concern; it affords one the ability to make better use of their judgment by presenting options that she/he might not otherwise have; and so on. The tenet for a person of reason and experience is that information access is desirable and even necessary for the successful management of one's life affairs, both in the workplace and from a personal perspective. Part of the basis on which people make decisions is the amount and quality of information at their disposal. Other factors may of course intervene (a person may be forced to decide on something against her/his will), but it remains true that if given the options, people will take them into consideration in their deliberations. There are also obviously cases where

people make less-than-rational decisions (for example, the decision to buy a car is not always given totally rational consideration) or get information to support decisions they have already made. But when deliberating about the kind of life she/he would like to lead, most people would like to have as much relevant information as possible.

As we have seen, however, not all people in a free market economy can enjoy what is increasingly becoming the necessity of informed judgment. The factors mitigating the information-poor's choices are the increasing delivery of information via non-print electronic means, the increasing privatization and commodization of these means, and the rapid rate of cultural and economic change which is in part fed by the technological revolution. Lack of economic means and lack of literacy skills (be they computer, cultural, or other) are having an impact on an individual's ability to access information. These factors have the capability to keep people from bettering themselves and can be likened to the similar effects of a lack of education.

Enter the public library. It has been said that the public library is the "great equalizer" since it does not require a certain socio-economic status to utilize it. Libraries have been characterized as "the place to go if you want to know." They have a long-standing tradition of supporting free and equal access to the information which they acquire, organize, manage, and disseminate to their users. But as we have seen, not all information is free in

a public library either. The Library Bill of Rights serves as the concretization of the ideals free and public access as promulgated by the American Library Association (confer in Appendix A).

While the Library Bill of Rights is indeed an important and useful document in guiding library policy as it regards free and equal access and issues regarding censorship, there are other aspects of public library use on which it is seemingly silent. Most notably is the issue of access to materials regardless of socio-economic status. The document perhaps glosses over this area or perhaps includes it in a most general way when it addresses one's background, but it does not specifically treat the idea of one's socio-economic status as being a possible barrier to information access. This is especially crucial in an age when more and more information is being controlled by the private sector. If one accepts the reasoning that information access is desirable and that such access is linked to one's socio-economic and educational mobility as it influences the choices one makes for lifestyle or career, then information de-access due to socio-economic factors is in some way an unnatural restriction on a person's development. The point to be argued is that certain kinds of information access should not be connected to one's socio-economic status in any way whatsoever.

At this point it may be useful to comment on what kinds of information should be accessible to the public, either freely or through subsidization.

Information essential to maintaining a minimal sense of well-being (however it is defined), proper health and nutrition, and recreational materials fall into this category. A critical aspect of this discussion is the value-added notion of certain kinds of information and how it affects both access and the perceived importance or sensitivity of the information which is not free. Proprietary information and information which transcends the limits of the "minimum requirements" mentioned above need not be free and is usually accessed at a cost. Information pertaining to national security or which is considered "confidential" is by its nature inaccessible and so is also excluded from the argument for free and public information access. To illuminate the proper perspective on this see the document entitled "The Freedom to Read" in Appendix C.

What is needed is a way of grounding the long-standing and well-supported belief that information access is necessary in such a way that it can be seen as a legal right, protected in the same way as are other constitutionally guaranteed rights of life, liberty, and the pursuit of happiness. Even these concepts seem vague and are not immediately helpful in establishing this foundation on which the right to information access can be built. In order to establish this foundation the concept of information access must be viewed from the perspective of social justice. Information access, it will be argued, must be viewed from the understanding of human nature as it is understood by

the Constitution of the United States. That is, access to the kinds of information discussed above is to be considered a basic human right which is guaranteed under the constitution, and consequently any de-access beyond copyright protection (whether political or economic) and fair use policies for educational purposes is a matter of injustice.

In order to accomplish this task, the support of philosophical studies will be marshalled. The basis for the argument will be developed from Immanuel Kant's moral philosophy as it is operationalized in John Rawls' concepts of the original position and primary goods as they are presented in his work A Theory of Justice.[3] Using these and other concepts from Rawls' work, a case will be made for including information access in the set of primary goods: those goods which all parties in a society would accept as necessary and minimum requirements for a just society.

Before expounding on the details of how this conceptual framework is to be constructed, two preliminary sections will address some issues which will aid in the reader's understanding of this paper. First, some terms and concepts will be defined as they are to be understood in the specific context of the discussion. Second, a literature review will precede the discussion of Rawls' methodology to lend further support to the discussion and to show the manner and depth to which some previous authors have gone in arguing for the right to information access.

CHAPTER III

SOME DEFINITIONS OF KEY CONCEPTS

In the last thirty to fifty years, few other English words have been used so much by so many classes of people and organizations as the word "information". It has been used eighty-three times thus far in this document alone. "Information" is truly an interdisciplinary word and has different meanings in different contexts. In order to understand how the term is to be used in the context of this paper, its definition will be examined as it is given in the second edition of the Oxford English Dictionary.[4] This source has been chosen to shed some preliminary light on the concept of "information" for several reasons. First, the OED is a descriptive dictionary (as opposed to one of a prescriptive style): that is, it describes how the word is currently being used and understood. This method is aided by the OED's comprehensive etymological treatment of the word in question, which is a second reason for its use here. Third, the OED has been recognized as a standard against which other dictionaries are measured. For an expanded treatment of the word "information," the reader is referred to previous research in this area as it is presented in Appendix B.

In current etymological use the word "information" can be defined as

knowledge of a particular fact or event which is communicated; something about which someone is told. Another specification is that "information" is contrasted with the word "data" in the sense that "data" are characterized as a great quantity of "raw facts" whereas "information has improved upon these facts by virtue of organization and classification. Another concept of importance in the current usage of "information" is the trend to use it to mean a sequence of data that can be transmitted by, stored in, or communicated to an inanimate object. From the preceding remarks and from the material in Appendix B we can see that "information" is something which is communicated and which can be accessed in an inanimate object. Obvious examples of inanimate objects include books and other printed matter (although the ideas of transmission and communication require more specific treatment in this case), electronic storage devices such as computer-readable databases and similar media, and online and telecommunications media.

Another concept in need of definition and clarification for purposes of this paper is that of "free and public access." This is to be understood in the context of information made available for public use with no financial qualifications or requirements other than those assessed through a legal form of public taxation. That is, access to information is to be accomplished by means of a publicly funded organization. At the current time and for purposes of our discussion let these publicly funded institutions be limited to the public

and state-supported academic libraries in the United States. The inclusion of other types of libraries and those of other countries is beyond the scope of this paper and may be addressed at a later date. There are obviously many other access points to information: a bookstore, a grocery store, someone distributing leaflets on a street corner, advice given over the phone or in person, and certainly others. The former two examples normally require some method of payment beyond taxation; the latter two may or may not (and with telephone communication there is, in cases excluding 800 numbers, a fee involved). What is being stressed in this concept is that the access to information is provided to the public at large and is free (the issue is more complicated when considering the policy of "fair use" which allows for information usage without copyright fees).

There are other concepts to de discussed and defined but they are more specific to Rawls' theory and consequently treatment of them will be deferred until then. But first there will be a brief review of some of the literature to lay some of the groundwork for the development of the ensuing argument.

CHAPTER IV

LITERATURE REVIEW

A perusal of the interdisciplinary literature treating the idea of free and public access to information (as it to be understood in the context of this paper) reveals a great deal from which to choose. The review will be limited to three sources which offer support for the position advocated by Rawls' theory as it is to be developed in this paper.

The first document is the Library Bill of Rights which was given cursory treatment in the second section. As it is written, the document consists of six rights preceded by a preamble of sorts. The beginning statement characterizes all libraries as "forums for information and ideas." There is no further explanation or specification of the meaning and scope of these concepts but one can get a sense of their meaning by the rights, or policies, as they are referred to in the document itself. The first right addresses the reasons supporting the mission of the library as it has come to be understood through the American Library Association, which is that books and other materials are to be provided for the interest, enlightenment, and information of the community served by the library. The concluding statement of the first right proscribes the exclusion of any material on the basis of the background of its

authorship.

The second right addresses the importance of developing an inclusive collection representing all points of view, a collection which is also protected from censorship at least in theory because of partisan or doctrinal disapproval. The third and fourth rights concern themselves with censorship and with the idea that libraries should both challenge it and that they should cooperate with agencies supporting both free expression and free access. Fifth, one's right to use a library should not be denied or mitigated because of her/his background, views, age, or origin. Finally, the sixth right stresses the necessity of providing meeting space on an equitable basis (if such space is indeed available) regardless of a group's affiliation.

As the earlier discussion emphasized, the elements comprising the Library Bill of Rights offer welcome support to the argument for free and public access to the information made available by libraries for their community's needs. It can also be noted that the content and subject matter of that information can in no way be censored, denied exposure, or abridged in any fashion. As the preliminary remark asserts, these rights are to serve as policies to guide the services provided by the libraries which adopt them.

As it was also mentioned earlier, the Library Bill of Rights does not seem to explicitly consider economic or financial hardship a barrier to information access; perhaps mainly because public libraries are essentially considered to be

free (taxation issues aside), or because the ALA addresses the issue in other documents. As the first and second sections stressed, however, such free access is being jeopardized by the proliferation of electronic information media, its increasing privatization, and attendant costs.

Kenneth Dowlin, Director of Pike's Peak Library in Colorado,[5] also expresses a view. Dowlin begins by calling attention to the shift in the U.S. economy from industrial to service-based, and stresses the corresponding decline in the quality of life accompanying this shift. he also makes mention of the wealth of literature devoted to proclaiming that the information age is the "salvation of American civilization" whose new product is information, and adds a note of skepticism to this commodization of information.

Dowlin states his belief that access to certain kinds of information must be considered a basic human right and enumerates eight aspects where it should be so considered. Among them are information pertaining to government functions, health and related issues, environmental and consumer issues, and issues of safety. He also lists reasons why people need access to information, including cultivation of self and community pride, the preservation of human rights, the protection and communication of consumer related issues, care of the body and mind, and others.

Barriers to information access are discussed next, such as legalistic barriers (where he mentions the threat posed by privatization of information),

global competition which has prompted the consolidation of publishing houses and has produced a sense of sameness in the communications media, technological barriers in the form of lack of standardization of hardware and software, perceptual barriers ("it's difficult to know what you don't know")[6], and also economic barriers where Dowlin remarks that while publicly supported information access is valued in theory, in practice the user-pays philosophy is employed.

Strategies to reduce or mitigate the effects of these barriers are offered in the next section of Dowlin's paper. He calls upon the library profession to assume a leading role in the battle to keep information access free by increasing political activity. He also stresses the need for library leadership in the provision of electronic information sources as well as pushing for interconnectivity and interfacing of information technology. He argues in favor of libraries moving beyond the print medium as the focus of the library collection. A committed, caring, and well trained staff are vital to the success of the library's mission. As Dowlin comments, the technology may change but the role of the publicly funded library to provide subsidized access will not.

A paper which expresses themes advocated by this paper is an article written by Ronald Benson of Ohio Northern University.[7] Although the article is somewhat dated, the position he argues is still cogent given the present state of information technology. The focus of Benson's argument concerns

developing equality in education, and he relies on the statements expressing equality in the Declaration of Independence as a starting point. Benson remarks that the statement "all men are created equal" refers to a kind of normative criterion because it is given within the context of a political document. All people ought to have an equal standing before the law, and Benson then connects this idea to the theology of the Enlightenment period and to Kant's notion of the freedom and integrity of moral agents as constitutive of human beings.[8] To illustrate some of his points about educational equality, Benson refers to a study conducted which found that minority students fared much better in an integrated environment than their segregated counterparts; but perhaps more startling was that the amount of money spent on education was not proportional to the quality of education delivered.

Benson next utilizes principles from Rawls' theory to bolster his argument for educational equality which for him involves an understanding of the importance of developing a plan of life as a way of nurturing a person's sense of self-worth and self-respect. He adds that the expectation of similar test results of high school students given their cultural diversity and educational imbalance is unrealistic, and stresses the idea of accepting a plurality of plans of life as a way to enhance one's self-worth. Thus, equality is not "sameness" but it is the equal maximization of a student's potential regardless of background. As Benson states, "The recognition of individual differences

among students is a prerequisite for optimal educational accomplishment."[9]

The application of Rawls' principles to the idea of educational equality by Benson is similar in focus to the posotion advocated in this paper in the sense that all people in a free society ought to have the ability to develop themselves and pursue the paths they wish. The argument for free and public access to information is a way to facilitate this development, as will be shown in the next section discussing Rawls' theory of justice.

CHAPTER V

RAWLS' THEORY OF JUSTICE SUPPORTING INFORMATION AS A PRIMARY GOOD

In order to facilitate one's comprehension of Rawls' theory of justice there must be an understanding of some of the basic concepts upon which it is constructed. Rawls constructs his theory using certain assumptions about human nature borne out in Kant's moral philosophy and also exhibited in some of the documents produced during the Enlightenment period,[10] including the Declaration of Independence and the Constitution of the United States. It will be helpful at this point to illustrate Rawls' treatment of Kant's moral philosophy as it concerns some of the foundational ideas behind Rawls' theory.

The idea of the universality of moral law is basic to an understanding of Kantian ethics. This universality comes not from an external source but from within each human person, for Kant held that moral principles which define the moral law under which one will live are an object of rational choice. Another idea necessary for understanding Kantian moral philosophy is the inherent freedom, equality, and rationality of all human persons. Each individual is free to act as she/he wishes, and the highest form of human expression is realized when human persons act as autonomous rational agents. In Rawls' words,

"...a person is acting autonomously when the principles of his action are chosen by him as the most adequate possible expression of his nature as a free and equal rational being."[11] Rawls uses the idea that humans are by nature free, equal, and rational as a starting point for his theory.

The idea of justice as being socially binding comes from a groups' realization of their individual autonomy and that in order to further their own interests, principles of justice defining the fundamental terms of their association would be agreed upon in an original position of equality. The original position of which Rawls speaks is based to some degree on Kant's notion of the initial situation wherein human beings are by nature free, equal, and rational. It is a hypothetical construct by which Rawls hopes to determine the most just solution to any problem that might emerge. It refers to the state of affairs before choice or implementation is enacted which leads to a consequent state. In the original position each person is free to make choices between different conceptions of the principles of justice. In the deliberation of choices a person in the original position is rational; that is, she/he is not motivated by any exterior factors such as financial situation or knowledge of any position relative to anyone else in the group. This being so, one's choice is not motivated or influenced by envy.

Equality is also an essential component of the parties in the original position. No one has an advantage of any kind over another which would

unfavorably influence one's deliberations or the outcome of the choices made. As Rawls says, "Among the essential features of this situation is that no one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like."[12]

The freedom of the individual to choose is also a feature of the people in the original position. Like Kant and others who advocate a contractual conception of justice, Rawls' theory includes the notion of the inherent autonomy of the individual. This autonomy is realized when one exercises the capacity to choose one thing over another. These three components: freedom, equality, and rationality, are synthesized in the original position. A person's autonomy is compatible with her/his objectivity in this situation. To quote:

> Thus acting autonomously is acting from principles we would consent to as free and equal rational beings, and that we are to understand it this way. Also, these principles are objective. They are the principles that we would want everyone (including ourselves) to follow were we to take up together the appropriate general point of view. The original position defines this perspective, and its conditions also embody those of objectivity: its stipulations express the restrictions on arguments that force us to consider the choice of principles unencumbered by the singularities of the circumstances in which we find ourselves.[13]

In short, the original position puts everyone on an equal footing with respect to the deliberations necessary to develop a conception of justice.

In addition to the parties' being in this original position, the principles of justice are chosen behind what Rawls calls a veil of ignorance to eliminate the

possibility of advantage that one might have in the choice of principles either because of social contingency or natural chance.[14] Since no one has an advantage over anyone else under the veil of ignorance, the choice of the principles of justice are the result of equal deliberation or bargaining. It is for this reason that Rawls refers to his theory as justice as fairness.[15] The first task of the participants in this scenario is to select the foundational principles of a conception of justice which would regulate their application in any subsequent legislative, judicial, and regulative bodies to be established in executing these principles.

The choice of the principles of justice under in the original position also requires of the participants that they be in Rawls' words "mutually disinterested." By this he means that each member is concerned primarily with satisfying her/his requirements for the successful execution of her/his plan of life, whatever it may turn out to be. In this way, the social contingencies of others are de-emphasized in the deliberations. Each person chooses under the maxim of securing her/his own interests. Rawls contrasts this with a utilitarian principle requiring one's choices to be influenced by the goal of obtaining the greatest general welfare. Rawls argues that people in the original position would not choose the utility principle since doing so would introduce the possibility of an unequal distribution of primary goods for some in order to guarantee the greatest general welfare. No one who is deliberating rationally

would opt for such an arrangement in the original position, argues Rawls.[16] Rawls maintains that people in the original position would choose two principles which would regulate any application of justice and which would guarantee acceptance by all parties concerned since each is deciding with her/his own interests in mind. The first formulation of the two principles chosen is as follows:

> First: each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.
>
> Second: social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all.[17]

From the first principle the idea of the most extensive liberty would be established. The only limitation on the first principle would be a case where the exercise of one liberty would interfere with that of another.

The first part of the second principle addresses the distribution of income and wealth and is designed to ensure that any inequalities in this area is beneficial to the least favored class of people in the original position, whoever they may be. More specifically, any distribution of income and wealth would be beneficial to all representative individuals. This eliminates any utilitarian calculus which would redistribute the wealth to achieve the greatest overall benefit, possibly introducing the notion of sacrifice for the greater good. The second part of the second principle ensures that positions of authority and office be open to all, again so that every representative individual benefits in

the arrangement. There would be no forced advancement unless it could be shown to be beneficial to all concerned. Rawls also maintains that the two principles are serially ordered; that is, one cannot exchange a basic liberty for a greater social or economic advantage. He insists on the priority of liberty over social and economic gains. The importance of this is to illustrate that people have an essential value and dignity which is not determined by socio-economic factors. This order also emphasizes a distinction Rawls wishes to make between the two principles which was also mentioned in the second section of this paper; and it is that one's rights should not be conferred on the basis of social or economic status but rather because of the inherent equality and rationality of the human person.

As a way of summarizing the argument thus far, we have a hypothetical construct (the "original position") in which autonomous, rational beings convening to establish the principles of justice by which the distribution of goods is regulated to obtain the greatest possible individual benefit for everyone. The priority of liberty is established to guarantee equality of participation, and the veil of ignorance is applied to eliminate any unnatural advantage which might skew the choice of principles and which in turn would threaten any possible consensus. What will now be discussed is the notion of primary goods, and how information can be included among them.

Rawls distinguishes between two types of primary goods; social and

natural. The list of primary social goods includes rights and liberties, powers and opportunities, income and wealth. One author[18] interprets Rawls' list of primary goods to enumerate six somewhat more specific goods: political participation liberties; freedom of thought, speech, and information; freedom of the person; freedom from unwarranted arrest; freedom of opportunity; and the right to generate income and wealth.[19] Self-respect is also included as a primary good by Rawls, and it will be discussed at a later stage in the argument.[20] The primary goods are to be distributed according to the first part of the second principle of justice which Rawls calls the difference principle. Its application is designed to ensure that any inequalities in the distribution of primary goods is to maximize the benefits received by all people in the original position An unequal distribution of primary goods is permissible so long as it will obtain this result.

The primary natural goods include health, intelligence, and imagination. These goods are distributed according to what Rawls calls a "natural lottery" and thus are only indirectly under the control of the basic structure of society. In order to in some way compensate for these "natural inequalities" Rawls introduces the principle of redress which allows for a distribution of social goods to compensate for these "undeserved inequalities."[21] This concept is important in the application of Rawls' theory because it gets to the heart of the matter: compensating for unequal access and opportunity. This will be

addressed in the next and final section of the paper.

It is necessary at this point to introduce two other components of Rawls' theory of justice, one of which he calls the Aristotelian principle.[22] Rawls defines the principle in this way: "Other things being equal, human beings enjoy the exercise of their realized capacities (their innate or trained abilities), and this enjoyment increases the more this capacity is realized, or the greater its complexity."[23] Rawls includes this principle to introduce motivation and to identify what he considers to be a deep psychological fact, simply put, that humans mature over time to have the capacity to enjoy increasingly complex and challenging activities. The motivational aspect of the principle comes into play when a person sees another individual performing activities which she/he would like to perform. There is, then, an underlying assumption that human beings have a desire to improve themselves over time.

The other component of Rawls' theory is that of the primacy of self-respect over the other primary goods. He explains it in this way:

> We may define self-respect (or self-esteem) as having two aspects. First of all,...it includes a person's sense of his own value, his secure conviction that his conception of his good, his plan of life, is worth carrying out. And second, self-respect in one's ability, so far as it is within one's power, to fulfill one's intentions. When we feel that our plans are of little value, we cannot pursue them with pleasure or take delight in their execution. Nor plagued by failure and self-doubt can we continue in our endeavors....Without [self-respect] nothing may seem worth doing....[24]

And if nothing seems worth doing then one's life becomes empty and devoid

of purpose. Self-respect is also connected to self-worth by one's successful achievements over time relating to her/his plan of life. Our self-worth is determined in part by the successful implementation of our plan of life and also in part by the recognition and affirmation of our worth by others in society.[25] With this understanding of the primacy of self-respect and of the Aristotelian principle as a motivational factor, we may now offer some arguments for including information as one of the social primary goods.

Recalling the definitions of free and public access and information discussed earlier and also of the rationality of persons, it is plausible and perhaps indeed likely that persons in an original position would include information among the index of primary goods. The mutual disinterest of the people in the original position requires that they establish rights and distributions of primary goods which enhance their interests in developing a plan of life. Knowing nothing more than the idea that they have a plan of life (and are rational and free), whatever it is, it would seem rational to have at one's disposal the ability to maximize the chances of success in implementing such a plan. Such maximization can be facilitated by the basic human right to access certain kinds of information.

Looking at the argument from another point of view, recall the enumeration of the social primary goods. One such good listed is equality of opportunity. This is understood as an acceptable primary good, one to which

everyone would give assent. It is also possible in the specification of this primary good the concept of information is included as necessary for its realization. For how could one have equality of opportunity yet be denied the information necessary to one's life which others might enjoy? It would seem irrational to do this.

Another possible reason for including information among the primary goods concerns the difference principle. Recall that it is designed to guarantee an equal distribution of the primary goods unless an unequal distribution would benefit the least advantaged members of society, then by a chain of reasoning proceed to benefit the more advantaged members. While it may seem plausible that there is a case where a lack of information would benefit all individuals, especially the least favored ones, it is actually hardly likely at all given that the least favored members are by their very status to be in most need. To posit an unequal distribution of information conducive to a person's well-being is counterintuitive, since no one knows her/his place in the society which they have agreed to form. Rawls demonstrates by means of a gain-and-loss table[26] that in deliberations one would be most likely to minimize the chance of a negative result obtained by a decision reached under such uncertainty as is present in the original position. This minimization of possible loss would mean that one would opt for a more equitable distribution of information (or any primary good) rather than risk the possibility that she/he might end up with an

unequal distribution of the good in question.

A final argument for including information among the primary goods is based on a possible situation obtaining after the initial principles of justice are established and the veil of ignorance lifted. Without information as a primary good, the possibility exists that some people may not be able to realize their plans of life if they lack the requisite knowledge to carry them out. Or, the possibility may exist where information is tied to a certain level of income and wealth, and since an unequal distribution of these is a natural occurrence in a free market economy, it seems likely that some people may have unequal access to information.

The first and last arguments can also garner support from the ideas expounded by the Aristotelian principle and self-worth. The maximization of human potential and the feeling of self-esteem are connected to one's ability to successfully implement a life plan. The psychological fact that humans seek to better themselves can be damaged if one is barred from the ability to accomplish this self-improvement, either legally or because of economic limitations. Such roadblocks to potential would also adversely affect one's self-concept and diminish her/his sense of self-worth and self-respect. The result would be a diminished human spirit, one susceptible to the influences of cynicism, apathy, and perhaps violent retaliation. Instead of the possibility that one would contribute to the betterment of society by the realization of her/his

potential and expression of self-worth there is the likelihood of a disenfranchised, counterproductive, angry person who feels trapped in a society which she/he did not create, a society which seems to take no interest in altering the status quo to change this state of affairs.

This scenario seems to be an unacceptable alternative and even irrational from a Rawlsian perspective, especially when one considers that those who are not contributing to the betterment of their society are nevertheless its beneficiaries and also an economic liability to the other members of society. Rawls' original position of mutually disinterested people does not allow room for the legality of a welfare state or even the legislation of altruistic behavior as a possibility. The virtues of compassion and sympathy, although laudable, are beyond the scope of Rawls' theory of justice as he readily admits.[27] The lack of the realization of human potential caused by de-access to information creates an imbalance in society which must be addressed by distributing the burden of societal responsibility of those unable to contribute upon the shoulders (or pocketbooks) of those who are also contributing. Another name for this imbalance is injustice. It is unjust under a Rawlsian interpretation to tie or in any way limit information on the basis of one's economic means. It seems plausible, then, that information as understood in the context of this paper would be considered as a primary good given the understanding of the principles laid down by Rawls' theory and the concepts defined in this paper.

This bring us to the end of this section. The final section will offer some concluding remarks about Rawls' theory of justice as it is applied and understood in the context of this paper and address some of the problems with his theory of justice, specifically whether the principle of redress is adequate to handle the "undeserved inequalities" Rawls mentions. We will also discuss some implications which can be drawn from the position taken in this paper for the library profession.

CHAPTER VI

CONCLUDING REMARKS

As it was pointed out above, the treatment of Rawls' theory of justice in this paper was limited to discussion of some of the key concepts necessary to obtain a basic understanding of the social contract theory as expounded by Rawls. Some of the details of his theory have been glossed over as a consequence, hopefully without a loss of understanding. The intent was merely to argue for the inclusion of free and public information access in the index of primary goods, and hence that lack of information for any reason is a matter of injustice.

Another point to be made here is that Rawls' theory is based on a particular philosophy of the human person and as such it requires certain assumptions to be maintained. For instance, the assumption about the inherent autonomy and rationality of the human person are necessary starting points to establish the argument, as are the assumptions about the individuality and mutual disinterest of those in the original position.[28] Rawls stresses that his theory is an exercise in hypothetical terms; he grants that it cannot be realized in practice. Yet it has its value in the fact that in our society we do in fact accept the assumptions and even some of the conditions of the original position

as expressed in our government, or at least, maintains Rawls, we can be persuaded to accept them upon reflection.[29]

To return to the discussion of natural primary goods, it has been said that the principle of redress is designed to compensate for "undeserved inequalities" in the distribution of health, intelligence, and imagination. One author presents a case for questioning the principle of redress as being totally efficacious in compensating for such inequalities.[30] The reason this issue is mentioned is that it has to do with natural endowments which affect the distribution of educational resources. Simply put, the principle of redress would only mitigate but would not completely eliminate an educational imbalance due to the unequal distribution of natural primary goods. Weitz argues that the principle of redress, if carried to its logical conclusion, would advocate surgical alteration of "gifted" children to put them on a more even par with the least advantaged group of people. Looking at the argument from the other side, members of the "gifted" population are being penalized economically to compensate for their giftedness(although Rawls would argue that no one would know their level of intelligence behind the veil of ignorance). Weitz's main point is that no amount of economic sanctions or limitations can successfully or fairly compensate for what she sees as essential differences (in the metaphysical sense) in the distribution of talents and abilities.

There is no adequate answer to the allegations this author raises and its

implications for Rawls' theory; the argument hinges on different perspectives on the nature of the human person and whether "natural inequalities" can be accounted for on a socio-economic level. Rawls obviously thinks they can; Weitz disagrees and emphasizes that while natural endowmwents are unequal, mutual respect and dealing with unfair inequalities can be embraced in light of the differences of natural abilities.

A paper presented by M. J. van den Hoven at the International Conference on the Ethical Issues of Using Information Technology[31] offers support for the position taken in this paper (of arguing for equal access to information as a primary good). The paper stresses the importance of having the ability to choose between options as supporting the idea of equal access as a primary good. To illustrate the argument the author cites a study which shows that access to diet information has a direct and positive impact on people's health, and that diet information is linked to five of the top ten causes of death in the United States. The conclusion here is that access to diet information presents people with choices which directly influence their health and consequently their quality of life. This supports the notion of free information access discussed above as including access to information considered to be essential to maintaining a minimum acceptable lifestyle.

Turning attention to some implications the position advocated in this paper has for the library profession, it is clear from the volume of literature that

free and public information access is a "hot topic," especially in light of the changes in information delivery that were highlighted in the opening remarks. As Patricia Schuman[32] points out, however, the library profession cannot assume that the cause for promoting free and equal access is one which is very widely espoused by the general public. This is because, according to Schuman, librarians have not been active enough in getting the message out. Schuman exhorts the library profession to make use of its most powerful asset: the library staff. Addressing the issue of the rhetoric of information access, she says, "Despite the hyperbole of the information society, information is not simply a product, a commodity to be bought and sold to the highest bidder."[33] Schuman comments that librarians are today's navigators who must navigate through the seeming overload of information and that they must be ethically committed to its organization and dissemination. If librarians believe as did Francis Bacon that knowledge is power, Schuman says they must accept responsibility for that power.

In another article by Eileen Cooke and Anne Heanue[34], the issue of information access is discussed as it relates to the provision of government information especially on the federal level. The authors document ways in which free access to information has been compromised by cuts in expenditures, elimination of programs, and changes in policy which directly impact the acquisition of government information. Concurring with Schuman,

the authors urge library professionals to become active in the political process and inform their representatives of the importance of supporting free and equal access to government and other types of information which are typically accessible at the public library at no cost to the consumer other than taxation. This can be accomplished through correspondence and also through voluntary participation in organizations which support free information access who have the power to influence Congress. The authors stress the importance of the issue most convincingly:

> The accelerating tendency of Federal agencies to use computer telecommunication technologies...has major implications for public access....As we move further into the age of electronic information, public access issues will be more strongly linked to the computer and communications revolution. With the viability of our democracy at stake, it is essential that library and information professionals form alliances with others who recognize the importance of government information and will help to remind the Federal government that it has a responsibility to provide government information to the public with taxpayer support.[35]

In conclusion, rapid changes in the creation, organization, ownership, and dissemination has left an indelible mark on contemporary American society and has jeopardized the freedom of access that so many people now enjoy and take for granted. These developments have exacerbated the socio-economic stratification of Americans as those with access and those without. The position of arguing for information as a primary good serves as a foundation and as a reminder of the necessity of it to the viability and success of the members of this society. The library profession must stand fast in arguing for

information access as a human right and that as such it should be protected and enforced by the very society which promulgates it.

LIBRARY BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

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APPENDIX B

INFORMATION PAPER

This paper will have two main parts. The first part will trace the history of the definition of "information" as provided by the Oxford English Dictionary, 2nd ed. Definitions from two other sources will also be provided, including the bibiliographic citation from each source. The second part of the paper will address the questions listed on the assignment sheet.

It is evident from a casual perusal of the Oxford English Dictionary that the word "information" has an ambiguous and quite varied history of definition. Complicating the matter is the fact that the logical development of the definition correspondingly chronological, as the OED points out in the first paragraph. There are, however, some basic ideas that come across in reading the various definitions.

The first listing defines "information" as an action; more precisely, it is an action of training, instruction, inspiration, or the capacity for it. The dates given for this usage vary but generally lie between the late fourteenth and early nineteenth centuries. All of the uses listed in this first definition are either rare or obsolete.

The second listing also defines "information" as having to do with an action; however, this time the action is a communication of knowledge or news of an occurrence (as opposed to instruction or training). Under this characterization it also implies a receptivity: "information" can mean being told of something.

Such usage again goes back to the fourteenth century, with other examples dating from the eighteenth century.

The notion of receptivity comes out more clearly in the third listing which characterizes "information" as knowledge of a particular fact or event which is communicated; something about which someone is told. Another sepcification is that "information" is contrasted with the word "data." Reading through some of the examples one finds the basis for this distinction: "data" are a great quantity of "raw facts" in contrast to "information" which has somehow improved upon "data" by concentrating it (implying some sort of organization and classification). The idea of a separation of the person from "information" is borne out by a further specification that it is a sequence of "data" which can be transmitted by, stored in, and communicated to inanimate objects; further still as an expression of a mathematical quantity based on a logarithmic arrangement.

At this point the next three definitions shift away from this track to one concerning the legal usage of "information." In this context, "information" is a complaint or charge brought against a person in English law; an accusation of sorts. many references to legal and juridical principles accompany these definitions; some of which are obsolete, others rare.

The second source cited is the New Webster's Dictionary of the English Language Handy School and Office edition. A very brief definition of "information" acn be found on p. 251: "News or intelligence communicated by word or in writing; facts or data;

knowledge derived from reading or instruction, or gathered in any way." The first section of this definition characterizes "information" as a form of intelligence; without further researching at this point the implication could be that of a military nature or of espionage. Also of note is the apparent synonomous treatment of "information", "facts", and "data", as shown by the second section. The third section also mentions the word "knowledge" and includes the ideas of communication and receptivity, but also includes the idea of action on the part of one seeking the "information."

The third source for a definition is the Dictionary of Psychology, second revised edition (1985), by J.P. Chaplin. On p. 229 are listed three definitions of "information":

> 1. A set of facts or ideas gained through investigation, experience, or practice. 2. A characteristic of a cue or stimulus utilized by an organism in learning situations. 3. In information theory, a quantitative property of a collection or ensemble of items that enables the items to be classified in some way....

The first definition correlates "information" with a set of "facts" or "ideas" obtained in some fashion. The second definition, which is more specific to the practice of psychology, relates the idea of some identifiable property which an organism uses in learning. The third definition places the word "information" in the context of information theory and gives it quantifiable and classifiable

attributes. In this third context it is referred to as an item which allows for some kind of interaction with it (classification, quantification, retrieval).

Now that the definitions have been offered, some comparisons are in order.

What is apparent from the historical treatment of the word "information" in the OED is a shift in definition from an action performed (training, instructing) toward a more receptive characterization (obtaining knowledge), and then to something which is detached from a living, sentient organism (a collection of subject-specific data). Also implied is the idea of the repackaging of the "information" for ease of location and, consequently, use.

The second source definition can be said to be included within the scope of the OED definition; there is similar terminology used and the meanings have similar implications as those found in the later definition listings in the OED. The idea of a communication of knowledge, and also that this communication is obtainable, are all part of the definition. No new terminology or concepts are offered.

The third source defines the word in much the same manner as the second, but it adds a subject-specific twist when it refers to "information" as a mark of a stimulus in learning situations. Also, like the OED, this dictionary referes to "information" as a quantifiable collection (again implying the idea of classification for identiying/retrieving purposes).

As alluded to above, the three definitions do overlap in some ways. there are similarities in the wording of the definitions themselves. Also, there is no noticeable distinction between the words "facts" and "information" in the soucres. A common understa understanding of the word "fact" is that it has claim to veracity due to the quality of verifiability; a "fact" is something that can be shown to be true. It is interesting to note that because this word is mentioned in all three sources, it seems to imply that "information" is "factual" and therefore to be trusted.

At the same time, some refinements and differences in interpretation exist among the sources. In the OED a distinction is made between "information" and "data"; in the second source these two words seem to be given synonomous treatment. The word "data" is completely absent from the third source, although one would not stretch the matter too far to say that the idea of "data" is alluded to in the definition. With the exception of the third source which does not mention the word "knowledge", the words "information' and "knowledge" are not distinguished to a great degree. Another interesting point is that the word "wisdom" is absent from all three sources, not even in any of the examples or references. This seems to suggest that one may obtain/possess "information" but not necessarily be "wise!"

Now to relate what has been discussed concerning the terms "information", "knowledge", "data", "facts", and "wisdom" to the field of librarianship. It seems apparent that the word "information" has a prominent place in the field of librarianship,

as do the other related words, as we have seen. Librarians are providers of it; they obtain it, organize it classify it, and at times censor it. Just about anything a librarian does as a librarian impacts directly on "information." There are two aspects of "information", however, that seem to have special importance to librarians. One is that it serves a pragmatic function in American society. People come to the library to get "information" in order to do something with that "information", whether it be to contact an old friend in another town or to indulge themselves in a sci-fi fantasy. It is of use to them; it helps them to accomplish a task.

Another aspect of "information" as it relates to librarianship is that, as the definitions have pointed out, it is a collection of "facts" or "knowledge" or in some cases "data." Because it can be delimited to a kind of thing, and because this "thing" is useful, "information" takes on the attribute of a commodity: it is something useful which has value. The value-added notion of "information" as regards librarianship is certainly not new; in many ways it is the crux of the debate concerning the ownership and control of, and access to, "information."

An important distinction is worth noting here between "information" and "knowledge." While the former is in some sense a public phenomenon (especially as it concerns communication), the latter suggests a subjective or, more precisely, a more personal quality. For example, when one possesses knowledge of something, he or she can choose whether or not to share it with another. This sharing is a form of communication. One way to look at the matter, then, is to say that "knowledge" becomes "information"

when it is communicated, or when it is placed in a medium which allows for it. Again, such ideas are the subject of an ongoing debate in librarianship.

Relating this discussion to the role of public libraries, it can be said that public libraries exist to supply the "information" needs of those who choose to use them. There has certainly been no lack of class discussion concerning the real problem of how few people actually use the services of the library for which they are paying through taxation. Add to this the idea of charging library users for access to this "information" and the situation becomes critical. One must also factor in competition from new, "attractive" bookstores in which one is encouraged to browse the entire collection, select a book, and read it on the premises for free, or to sit and watch a full-length movie (once again, for free). The situation regarding school, academic, special, and government libraries is perhaps not as critical since each has what one may call a "captive" user group of sorts: their "information" needs are more subject- or user-specific.

For the public library to thrive in such an environment it must offer services which are both unique and also viewed as necessary and worthwhile to its users and hopefully potential users. This may entail doing without certain services because of duplication in the community, lack of or little use, or financial considerations. As it has also been discussed in class, such decisions are neither easy nor popular; but more importantly they are necessary with increasing urgency. On the positive side,

such changes can allow for the library to focus on doing a good many things well rather than everything with mediocrity. This idea applies not only to libraries themselves, but to libraries as they relate to each other. The interconnectedness of libraries of differnt types can only enrich the quality as well as the quantity of "information" made available.

I

THE FREEDOM TO READ

"

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove books from sale, to censor textbooks, to label "controversial" books, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals. We, as citizens devoted to the use of books and as librarians and publishers responsible for disseminating them, wish to assert the public interest in the preservation of the freedom to read.

We are deeply concerned about these attempts at suppression. Most such attempts rest on a denial of the fundamental premise of democracy: that the ordinary citizen, by exercising critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow-citizens.

We trust Americans to recognize propaganda, and to reject it. We do not believe they need the help of censors to assist them in this task. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

We are aware, of course, that books are not alone in being subjected to efforts at suppression. We are aware that these efforts are related to a larger pattern of pressures being brought against education, the press, films, radio, and television. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads,

we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy.

Such pressure toward conformity is perhaps natural to a time of uneasy change and pervading fear. Especially when so many of our apprehensions are directed against an ideology, the expression of a dissident idea becomes a thing feared in itself, and we tend to move against it as against a hostile deed, with suppression.

And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with stress.

Now as always in our history, books are among our greatest instruments of freedom. They are almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. They are the natural medium for the new idea and the untried voice from which come the original contributions to social growth. They are essential to the extended discussion which serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures towards conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority.*

   Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to

maintain themselves in power by the ruthless suppression of any concept which challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation contained in the books they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what books should be published or circulated.*

   Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to determine the acceptability of a book on the basis of the personal history or political affiliations of the author.*

   A book should be judged as a book. No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish which draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

   To some, much of modern literature is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to

think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters taste differs, and taste cannot be legislated; nor can machinery be devised which will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept with any book the prejudgment of a label characterizing the book or author as subversive or dangerous.*

The idea of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for the citizen. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a bad book is a good one, the answer to a bad idea is a good one.*

The freedom to read is of little consequence when expended on the trivial; it is frustrated when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the

intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of their freedom and integrity, and the enlargement of their service to society, requires of all publishers and librarians the utmost of their faculties, and deserves of all citizens the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here take out a lofty claim for the value of books. We do so because we believe that they are good, possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

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A Joint Statement by:

American Library Association
Association of American Publishers

Subsequently Endorsed by:

American Booksellers Association
American Booksellers Foundation for Free Expression
American Civil Liberties Union
American Federation of Teachers AFL-CIO
Anti-Defamation League of B'nai B'rith
Association of American University Presses
Children's Book Council
Freedom to Read Foundation
International Reading Association
Thomas Jefferson Center for the Protection of Free Expression
National Association of College Stores
National Council of Teachers of English
P.E.N. - American Center
People for the American Way
Periodical and Book Association of America
Sex Information and Education Council of the U.S.
Society of Professional Journalists
Women's National Book Association
YWCA of the U.S.A.

NOTES

[1]For more elaboration on this topic see Hans Jonas, Philosophical Essays: From Ancient Creed to Technological Man (Englewood Cliffs, NJ: Prentice-Hall, 1974).

[2]See Neil Postman, Technopoly: The Surrender of Culture to Technology (New York: Knopf, 1992).

[3]John Rawls, A Theory of Justice (Cambridge: Harvard University Press, 1971).

[4]Oxford English Dictionary 2nd ed., (Oxford: Oxford University Press, 1982) vol. 17, 944-946.

[5]Kenneth E. Dowlin, "Access to Information: A Human Right?," in The Bowker Annual of Library and Book Trade Information, 32nd ed. (New York: R. R. Bowker, 1987), 64-68.

[6]Dowlin, 67.

[7]Ronald E. Benson, "Defining Equality in Education," Educational Studies vol. 8 (Summer 1977), 105-112.

[8]Benson, 106.

[9]Benson, 108.

[10]Rawls, 11; see the footnote.

[11]Rawls, 252.

[12]Rawls, 12.

[13]Rawls, 516.

[14]There is a sense in which this principle mitigates the effectiveness or even eliminates the possibility of affirmative action legislation and policies. This will be addressed in the final section of the paper.

[15]Rawls, 12.

[16]Rawls, 14.

[17]Rawls, 60.

[18]Allen Buchanan, "Revisability and Rational Choice," Canadian Journal of Philosophy, vol. 5, no. 3, (November 1975), 395-408.

[19]Buchanan, 397.

[20]Rawls, 62.

[21]Rawls, 100.

[22]Rawls, 424-433.

[23]Rawls, 426.

[24]Rawls, 440.

[25]Rawls, 441.

[26]Rawls, 152-154.

[27]Rawls, 17. Also, it is precisely for this reason that feminists take issue with Rawls' position, since their value system is based on an ethic of care and compassion.

[28]Here again the feminists do not agree with Rawls' assumptions.

[29]Rawls, 21.

[30]Betty A. Weitz. "Equality and Justice in Education: Dewey and Rawls." Human Studies vol. 16 no. 4 (October 1993), 421-434.

[31]M. J. van den Hoven, "Equal Access and Social Justice: Information as a Primary Good," in Ethicomp 95: An International Conference on the Ethical Issues of Using Information Technology vol. 2, (Leicester, U.K.: De Montfort University, 1995).

[32]Patricia Schuman, "Your Right to Know: Librarians Make it Happen," Wilson Library Bulletin vol. 66, no. 3, (November 1991), 38-41.

[33]Schuman, 39.

[34]Eileen D. Cooke and Anne A. Heanue, "The Right to Know, The Need to Act," Government Information Quarterly. vol. 4, no. 4, (1987), 343-347.

[35]Cooke and Heanue, 346.

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NOTE:

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